

CS FOR HOUSE BILL NO. 368(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 3/27/96
Referred: Finance

Sponsor(s): REPRESENTATIVE JAMES

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to election campaigns, election campaign financing, the
2 oversight and regulation of election campaigns, the activities of lobbyists that
3 relate to election campaigns, the definitions of offenses of campaign misconduct,
4 and to the use of the net proceeds of charitable gaming activities in election
5 campaigns; and providing for an effective date."

6 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

7 * **Section 1.** FINDINGS AND PURPOSE. (a) The legislature finds that, under existing
8 laws,

9 (1) campaigns for elective public office last too long, are often uninformative,
10 and are too expensive;

11 (2) highly qualified citizens are dissuaded from running for public office due to
12 the high cost of election campaigns;

13 (3) organized special interests are responsible for raising a significant portion of

1 all election campaign funds and may thereby gain an undue influence over election campaigns
2 and elected officials, particularly incumbents;

3 (4) incumbents enjoy a distinct advantage in raising money for election
4 campaigns, and many elected officials raise and carry forward huge surpluses from one campaign
5 to the next, to the disadvantage of challengers;

6 (5) because, under existing laws, candidates are completely free to convert
7 campaign funds to personal income, there is great potential for bribery and political corruption;
8 and

9 (6) penalties for violations of the existing campaign finance laws are far too
10 lenient to deter misconduct.

11 (b) It is the purpose of this Act to substantially revise Alaska's election campaign
12 finance laws in order to restore the public's trust in the electoral process and to foster good
13 government.

14 * **Sec. 2.** AS 05.15.150(a) is amended to read:

15 (a) The authority to conduct the activity authorized by this chapter is contingent
16 upon the dedication of the net proceeds of the charitable gaming activity to the awarding
17 of prizes to contestants or participants and to political, educational, civic, public,
18 charitable, patriotic, or religious uses in the state. "Political, educational, civic, public,
19 charitable, patriotic, or religious uses" means uses benefiting persons either by bringing
20 them under the influence of education or religion or relieving them from disease,
21 suffering, or constraint, or by assisting them in establishing themselves in life, or by
22 providing for the promotion of the welfare and well-being of the membership of the
23 organization within their own community, or through aiding candidates for public office
24 or groups that support candidates for public office, or by erecting or maintaining public
25 buildings or works, or lessening the burden on government, but does not include

26 (1) the direct or indirect payment of any portion of the net proceeds of
27 a bingo or pull-tab game to a lobbyist registered under AS 24.45; [OR]

28 (2) the erection, acquisition, improvement, maintenance, or repair of real,
29 personal, or mixed property unless it is used exclusively for one or more of the permitted
30 uses; or

31 **(3) the direct or indirect payment of any portion of the net proceeds**
32 **of a charitable gaming activity, except the proceeds of a raffle and lottery,**

- 1 (A) to aid candidates for public office or groups that support
2 candidates for public office;
3 (B) to a political party or to an organization affiliated with
4 a political party; or
5 (C) to a group, as that term is defined in AS 15.13.400, that
6 seeks to influence the outcome of an election.

7 * **Sec. 3.** AS 15.13.010(a) is amended to read:

8 (a) This chapter applies

9 (1) in every election for governor, lieutenant governor, a member of the
10 state legislature, a delegate to a constitutional convention, or judge seeking electoral
11 confirmation;

12 (2) [. IT ALSO APPLIES] to every candidate for election to a municipal
13 office in a municipality with a population of more than 1,000 inhabitants according to
14 the latest United States census figures or estimates of population certified as correct for
15 administrative purposes by the Department of Community and Regional Affairs **unless**
16 **the municipality has exempted itself from the provisions of this chapter; a** [. A]
17 municipality may exempt its elected municipal officers from the requirements of this
18 chapter if a majority of the voters voting on the question at a regular election, as defined
19 by AS 29.71.800(20), or a special municipality-wide election called for that purpose,
20 **votes** [VOTE] to exempt its elected municipal officers from the requirements of this
21 chapter; **the** [. THE] question of exemption from the requirements of this chapter may
22 be submitted by the governing body by ordinance or by initiative election. [THIS
23 CHAPTER DOES NOT PROHIBIT A MUNICIPALITY FROM REGULATING BY
24 ORDINANCE CAMPAIGN CONTRIBUTIONS AND EXPENDITURES.]

25 * **Sec. 4.** AS 15.13.010 is amended by adding a new subsection to read:

26 (c) This chapter does not prohibit a municipality from regulating by ordinance
27 election campaign contributions and expenditures in municipal elections, or from
28 regulating those campaign contributions and expenditures more strictly than provided in
29 this chapter.

30 * **Sec. 5.** AS 15.13.040(a) is amended to read:

31 (a) **Except as provided in (g) of this section, each** [EACH] candidate shall
32 make a full report, upon a form prescribed by the commission, listing the date and

1 amount of all expenditures made by the candidate, the total amount of all contributions,
2 including all funds contributed by the candidate, and for all contributions in excess of
3 \$100 in the aggregate a year, the name, address, principal occupation, and employer of
4 the contributor and the date and amount contributed by each contributor. The report
5 shall be filed in accordance with AS 15.13.110 and shall be certified correct by the
6 candidate or campaign treasurer.

7 * **Sec. 6.** AS 15.13.040(d) is amended to read:

8 (d) Every individual, person, or group making a contribution or expenditure shall
9 make a full report, upon a form prescribed by the commission, of the following
10 contributions or expenditures:

11 (1) any contribution of cash, goods, or services valued at more than \$250
12 a year to any group or candidate; or

13 (2) unless exempted from reporting by (h) of this section, any
14 expenditure whatsoever for advertising in newspapers or other periodicals, on radio, or
15 on television; or, for the publication, distribution, or circulation of brochures, flyers, or
16 other campaign material for any candidate or ballot proposition or question.

17 * **Sec. 7.** AS 15.13.040 is amended by adding new subsections to read:

18 (g) The provisions of (a) of this section do not apply if a candidate

19 (1) indicates, on a form prescribed by the commission, an intent not to
20 raise and not to expend more than \$2,500 in seeking election;

21 (2) accepts contributions totaling not more than \$2,500 in seeking
22 election; and

23 (3) makes expenditures totaling not more than \$2,500 in seeking
24 election.

25 (h) The provisions of (d)(2) of this section do not apply to one or more
26 expenditures made by an individual acting independently of any group and
27 independently of any other individual if the expenditures

28 (1) cumulatively do not exceed \$250 during a calendar year; and

29 (2) are made only for billboards, signs, or printed material concerning
30 a ballot proposition or question.

31 * **Sec. 8.** AS 15.13.050 is amended to read:

32 Sec. 15.13.050. REGISTRATION BEFORE EXPENDITURE [GROUPS].

1 **Before** [EACH GROUP, BEFORE] making an expenditure **in support** [ON BEHALF]
2 of [,] or in opposition to [,] a candidate or **before making an expenditure in support**
3 **of or in opposition to a ballot proposition or question, each person, publicly-funded**
4 **entity, or group** [A CONTRIBUTION TO A CANDIDATE] shall register, on forms
5 provided by the commission, with the commission. If the group intends to support or
6 oppose only one candidate, or to contribute to or expend on behalf of, or in opposition
7 to, one candidate **33 1/3** [50] percent or more of its funds, the name of the candidate
8 shall be a part of the name of the group. Promptly upon receiving the registration, the
9 commission shall notify the candidate of the group's organization and intent.

10 * **Sec. 9.** AS 15.13 is amended by adding new sections to read:

11 Sec. 15.13.065. WHO MAY MAKE CONTRIBUTIONS. (a) Only individuals,
12 groups, or political parties may make contributions to a candidate.

13 (b) Only individuals and groups may make contributions to a group or, except
14 as provided in (c) of this section, to a political party.

15 (c) A political party may contribute to a subordinate unit of the political party,
16 and a subordinate unit of a political party may contribute to the political party of which
17 it is a subordinate unit.

18 Sec. 15.13.067. WHO MAY MAKE EXPENDITURES. Only the following may
19 make an expenditure in an election for candidates for elective office:

20 (1) the candidate;

21 (2) individuals who are registered under AS 15.13.050; and

22 (3) a group that, if required by AS 15.13.050 to register, is registered,
23 or a group not required to register under AS 15.13.050.

24 * **Sec. 10.** AS 15.13.070 is repealed and reenacted to read:

25 Sec. 15.13.070. LIMITATIONS ON AMOUNT OF POLITICAL
26 CONTRIBUTIONS. (a) An individual or group may make contributions, subject only
27 to the limitations of this chapter and AS 24.45, including the limitations on the maximum
28 amounts set out in this section.

29 (b) An individual may contribute not more than

30 (1) \$500 per year to a candidate, or to a person who conducts a write-in
31 campaign as a candidate;

32 (2) \$250 per year to a group that is not a political party;

1 (3) \$5,000 per year to a political party.

2 (c) A group that is not a political party may contribute not more than \$1,000 per
3 year

4 (1) to a candidate, or to a person who conducts a write-in campaign as
5 a candidate; or

6 (2) to another group or to a political party.

7 (d) A political party may contribute to a candidate, or to a person who conducts
8 a write-in campaign, for the following offices an amount not to exceed

9 (1) \$100,000 per year, if the election is for governor or lieutenant
10 governor;

11 (2) \$15,000 per year, if the election is for the state senate;

12 (3) \$10,000 per year, if the election is for the state house of
13 representatives; and

14 (4) \$5,000 per year, if the election is for

15 (A) delegate to a constitutional convention;

16 (B) judge seeking retention; or

17 (C) municipal office.

18 * **Sec. 11.** AS 15.13 is amended by adding new sections to read:

19 Sec. 15.13.072. RESTRICTIONS ON SOLICITATION AND ACCEPTANCE
20 OF CONTRIBUTIONS. (a) A candidate or an individual who has filed with the
21 commission the document necessary to permit that individual to incur election-related
22 expenses under AS 15.13.100 may not solicit or accept a contribution from

23 (1) a person not authorized by law to make a contribution;

24 (2) an individual who is not a resident of the state at the time the
25 contribution is made except as provided in (b) of this section;

26 (3) a group organized under the laws of another state, resident in another
27 state, or whose participants are not residents of this state at the time the contribution is
28 made; or

29 (4) a person registered as a lobbyist if the contribution violates
30 AS 15.13.074(f) or AS 24.45.121(a)(8).

31 (b) A candidate or an individual who has filed with the commission the
32 document necessary to permit that individual to incur election-related expenses under

1 AS 15.13.100 may solicit or accept contributions from an individual who is not a
2 resident of the state at the time the contribution is made if the amounts contributed by
3 individuals who are not residents do not exceed

4 (1) \$20,000, if the candidate or individual is seeking the office of
5 governor or lieutenant governor;

6 (2) \$3,000, if the candidate or individual is seeking the office of state
7 senator;

8 (3) \$2,000, if the candidate or individual is seeking the office of state
9 representative or municipal or other office.

10 (c) A candidate or an individual who has filed with the commission the
11 document necessary to permit the individual to incur election-related expenses under
12 AS 15.13.100, or a group, may not solicit or accept a cash contribution that exceeds
13 \$100.

14 (d) An individual, or one acting directly or indirectly on behalf of that
15 individual, may not solicit or accept a contribution

16 (1) before the date for which contributions may be made as determined
17 under AS 15.13.074(c)(1) - (3); or

18 (2) later than the day after which contributions may not be made as
19 determined under AS 15.13.074(c)(4).

20 (e) A candidate or an individual who has filed with the commission the
21 document necessary to permit that individual to incur election-related expenses under
22 AS 15.13.100 may not solicit or accept a contribution if the legislature is convened in
23 a regular or special legislative session, and the candidate or individual is a member of
24 the legislature, or employed by a legislator or employed as a member of the legislator's
25 staff or as a member of the staff of a legislative committee.

26 Sec. 15.13.074. PROHIBITED CONTRIBUTIONS. (a) A person or group may
27 not make a contribution if the making of the contribution would violate this chapter.

28 (b) A person or group may not make a contribution anonymously, using a
29 fictitious name, or using the name of another.

30 (c) A person or group may not make a contribution

31 (1) to a candidate for governor or lieutenant governor or an individual
32 who files with the commission the document necessary to permit that individual to incur

1 certain election-related expenses as authorized by AS 15.13.100 for governor or
2 lieutenant governor, when the office is to be filled at a general election, before the later
3 of the following dates:

4 (A) the date the individual

5 (i) becomes a candidate; or

6 (ii) files with the commission the document necessary to
7 permit the individual to incur certain election-related expenses as
8 authorized by AS 15.13.100; or

9 (B) January 1 of the year of the general election;

10 (2) to a candidate for the state legislature or an individual who files with
11 the commission the document necessary to permit that individual to incur certain
12 election-related expenses as authorized by AS 15.13.100 for the state legislature, when
13 the office is to be filled at a general election, before the later of the following dates:

14 (A) the date the individual

15 (i) becomes a candidate; or

16 (ii) files with the commission the document necessary to
17 permit the individual to incur certain election-related expenses as
18 authorized by AS 15.13.100; or

19 (B) June 1 of the year of the general election;

20 (3) to a candidate or an individual who files with the commission the
21 document necessary to permit that individual to incur certain election-related expenses
22 as authorized by AS 15.13.100 for an office that is to be filled at a special election or
23 municipal election before the later of the following dates:

24 (A) the date the individual

25 (i) becomes a candidate; or

26 (ii) files with the commission the document necessary to
27 permit that individual to incur certain election-related expenses as
28 authorized by AS 15.13.100;

29 (B) is five months before the date of the general or regular
30 municipal election or that is before the date of the proclamation of the special
31 election at which the candidate or individual seeks election to public office; or

32 (4) to any candidate later than the 45th day

1 (A) after the date of a primary election if the candidate
2 (i) has been nominated at the primary election or is
3 running as a write-in candidate; and
4 (ii) is not opposed at the general election;
5 (B) after the date of the primary election if the candidate was not
6 nominated at the primary election; or
7 (C) after the date of the general election, or after the date of a
8 municipal or municipal runoff election, if the candidate was opposed at the
9 general, municipal, or municipal runoff election.

10 (d) A person or group may not make a contribution to a candidate or a person
11 or group who is prohibited by AS 15.13.072(d) from accepting it.

12 (e) A person or group may not make a cash contribution that exceeds \$100.

13 (f) An individual required to register as a lobbyist under AS 24.45 may not make
14 a contribution to a candidate for the legislature at any time the individual is subject to
15 the registration requirement under AS 24.45 and for one year after the date of the
16 individual's initial registration or its renewal. However, the individual may make a
17 contribution under this section to a candidate for the legislature in a district in which the
18 individual is registered to vote or will be registered to vote on the date of the election.
19 An individual who is subject to the restrictions of this subsection shall report to the
20 commission, on a form provided by the commission, each contribution made while
21 required to register as a lobbyist under AS 24.45. This subsection does not apply to a
22 representational lobbyist as defined in regulations of the commission.

23 Sec. 15.13.076. AUTHORIZED RECIPIENTS OF CONTRIBUTIONS. A
24 contribution to a

25 (1) candidate may be received only by

26 (A) the candidate; or

27 (B) the candidate's campaign treasurer or a deputy campaign
28 treasurer;

29 (2) group may be received only by the group's campaign treasurer or a
30 deputy treasurer.

31 Sec. 15.13.078. CONTRIBUTIONS AND LOANS FROM THE CANDIDATE.

32 (a) The provisions of this chapter do not prohibit the person who is a candidate from

1 giving any amount of the candidate's own money or other thing of value to the
2 campaign of the candidate. Donations made by the candidate to the candidate's own
3 campaign shall be reported as contributions in accordance with AS 15.13.040 and
4 15.13.110.

5 (b) The provisions of this chapter do not prohibit the person who is a
6 candidate from lending any amount to the campaign of the candidate. Loans made by
7 the candidate shall be reported as contributions in accordance with AS 15.13.040 and
8 15.13.110. However, the candidate may not

9 (1) recover, under this section and AS 15.13.116(a)(5), the amount of
10 a loan made by the candidate to the candidate's own campaign that exceeds

11 (A) \$25,000, if the candidate ran for governor or lieutenant
12 governor;

13 (B) \$10,000, if the candidate ran for

14 (i) the legislature; or

15 (ii) delegate to a constitutional convention;

16 (C) \$10,000, if the candidate was a judge seeking retention;

17 (D) \$5,000, if the candidate ran in a municipal election; or

18 (2) repay a loan that the candidate has made to the candidate's own
19 campaign unless, within five days of making the loan, the candidate notifies the
20 commission, on a form provided by the commission, of the candidate's intention to
21 repay the loan under AS 15.13.116(a)(5).

22 (c) On and after the date determined under AS 15.13.110 as the last day of the
23 period ending three days before the due date of the report required to be filed under
24 AS 15.13.110(a)(1) and until the date of the election for which the report is filed, a
25 candidate may not give or loan, or both, to the candidate's campaign the candidate's
26 money or other thing of value of the candidate in an amount that exceeds \$5,000.

27 (d) The provisions of this section apply only to the person who is a candidate,
28 as that term is defined by AS 15.13.400(1)(A), and do not apply to authorize a
29 contribution or loan under this section by a person described in the definition of the
30 term "candidate" under AS 15.13.400(1)(B).

31 * **Sec. 12.** AS 15.13.080 is amended to read:

32 Sec. 15.13.080. STATEMENT BY CONTRIBUTOR. (a) Each of the

1 **following shall file statements as required by this section:**

2 **(1) an individual who contributes to a candidate**

3 **(A) more than** [A PERSON OR GROUP CONTRIBUTING TO
4 A CANDIDATE OVER] \$250; or

5 **(B)** [CONTRIBUTING] goods or services [TO A CANDIDATE]
6 with a value of more than \$250;

7 **(2) an individual who, during the period between the 90th day before**
8 **an election and the date of the election, contributes to more than one group and**
9 **whose aggregate contributions to all groups, in money or in the value of goods and**
10 **services, or both, exceed \$1,000 per year** [TO INFLUENCE THE ELECTION OF A
11 CANDIDATE SHALL FURNISH THE COMMISSION A SIGNED STATEMENT, ON
12 A FORM MADE AVAILABLE BY THE COMMISSION].

13 **(b) An individual required to file a contributor's statement under (a) of this**
14 **section shall file on a form made available by the commission.** The statement **must**

15 **(1) identify the contributor and the candidate and all groups**
16 **receiving contributions;**

17 **(2)** [SHALL] itemize the contributions and goods; and

18 **(3)** state that the contributor is not [A PERSON OR GROUP] prohibited
19 by law from contributing and that the contribution consists of funds or property
20 belonging to the contributor and has not been given or furnished by another person or
21 group.

22 **(c)** The contributor's statement shall be filed with the commission by the
23 contributor no later than 10 days after the contribution is made. [A COPY OF THE
24 STATEMENT SHALL BE FURNISHED THE CANDIDATE, CAMPAIGN
25 TREASURER, OR DEPUTY CAMPAIGN TREASURER AT THE TIME THE
26 CONTRIBUTION IS MADE.]

27 * **Sec. 13.** AS 15.13 is amended by adding new sections to read:

28 Sec. 15.13.082. LIMITATIONS ON EXPENDITURES. (a) A candidate or
29 group may not make an expenditure in cash that exceeds \$100 unless the candidate, or
30 the campaign treasurer or deputy campaign treasurer, obtains from the person to whom
31 the expenditure is made a written receipt and files a copy of the receipt with the
32 commission.

1 (b) A candidate or group may not make an expenditure unless the source of the
2 expenditure has been disclosed as required by this chapter.

3 (c) If a candidate receives a contribution in the form of cash, check, money
4 order, or other negotiable instrument and is subject to being reported to the commission
5 under this chapter, the candidate may neither expend the contribution nor, in the case of
6 a negotiable instrument, convert it to cash unless the candidate, campaign treasurer, or
7 deputy campaign treasurer first records the following information for disclosure to the
8 commission:

9 (1) the name, address, principal occupation, and employer of the
10 contributor; and

11 (2) the date and amount of the contribution.

12 Sec. 15.13.084. PROHIBITED EXPENDITURES. A person may not make an
13 expenditure anonymously, using a fictitious name, or using the name of another.

14 Sec. 15.13.086. AUTHORIZED MAKERS OF EXPENDITURES. An
15 expenditure

16 (1) authorized by AS 15.13.067(1) by or in behalf of a candidate may be
17 made only by

18 (A) the candidate; or

19 (B) the candidate's campaign treasurer or a deputy campaign
20 treasurer;

21 (2) authorized by AS 15.13.067(3) by or in behalf of a group may be
22 made only by the group's campaign treasurer.

23 * **Sec. 14.** AS 15.13.090 is amended by adding a new subsection to read:

24 (b) The provisions of (a) of this section do not apply when the advertisement

25 (1) is paid for by an individual acting independently of any group and
26 independently of any other individual;

27 (2) is made concerning a ballot proposition or question; and

28 (3) is made for

29 (A) a billboard or sign; or

30 (B) printed material other than an advertisement made in a
31 newspaper or other periodical.

32 * **Sec. 15.** AS 15.13.110(a) is amended to read:

1 (a) Each candidate and group shall make a full report in accordance with
2 AS 15.13.040 for the period ending three days before the due date of the report and
3 beginning on the last day covered by the most recent previous report. If the report is a
4 first report, it shall cover the period from the beginning of the campaign to the date three
5 days before the due date of the report. If the report is a report due February 15, it shall
6 cover the period beginning on the last day covered by the most recent previous report
7 or on the day that the campaign started, whichever is later, and ending on December 31
8 of the prior year. The report shall be filed

9 (1) 30 days before the election; however, this report is not required if the
10 deadline for filing a nominating petition or declaration of candidacy is within 30 days
11 of the election;

12 (2) one week before the election;

13 (3) 10 days after the election; and

14 (4) February 15 for expenditures made and contributions received that
15 were not reported during the previous year, **including, if applicable, all amounts**
16 **expended from a legislative office account established under AS 15.13.116(a)(9),** or
17 when expenditures were not made or contributions were not received during the previous
18 year.

19 * **Sec. 16.** AS 15.13.110(b) is amended to read:

20 (b) Each contribution [OR EXPENDITURE] that exceeds \$250 and that is made
21 within nine days of the election shall be reported to the commission by date, amount, and
22 contributor [OR RECIPIENT] within 24 hours of receipt [OR EXPENDITURE] by the
23 candidate, **group,** [OR] campaign treasurer, **or deputy campaign treasurer.**

24 * **Sec. 17.** AS 15.13.110(c) is amended to read:

25 (c) [THE REPORTS OF CANDIDATES SHALL BE FILED WITH THE
26 COMMISSION'S CENTRAL OFFICE.] All reports required by this chapter **shall be**
27 **filed with the commission's central office and** shall be kept open to public inspection.
28 Within 30 days after each election, the commission shall prepare a summary of each
29 report which shall be made available to the public at cost upon request. Each summary
30 shall use uniform categories of reporting.

31 * **Sec. 18.** AS 15.13 is amended by adding new sections to read:

32 Sec. 15.13.112. USES OF CAMPAIGN CONTRIBUTIONS HELD BY

1 CANDIDATE OR GROUP. (a) Except as otherwise provided, campaign contributions
2 held by a candidate or group may be used only to pay the expenses of the candidate or
3 group, and the campaign expenses incurred by the candidate or group, that reasonably
4 relate to election campaign activities, and in those cases only as authorized by this
5 chapter.

6 (b) Campaign contributions held by a candidate or group may not be

7 (1) used to give a personal benefit to the candidate or to another person;

8 (2) converted to personal income of the candidate;

9 (3) loaned to a person;

10 (4) knowingly used to pay more than the fair market value for goods or
11 services purchased for the campaign;

12 (5) used to pay a criminal fine; or

13 (6) used to pay civil penalties; however, campaign contributions held by
14 a candidate or group may be used to pay a civil penalty assessed under this chapter if
15 authorized by the commission after it first determines that

16 (A) the candidate, campaign treasurer, and deputy campaign
17 treasurer did not cause or participate in the violation for which the civil penalty
18 is imposed and exercised a reasonable level of oversight over the campaign; and

19 (B) the candidate, campaign treasurer, and deputy campaign
20 treasurers cooperated in the revelation of the violation and in its immediate
21 correction.

22 (c) Campaign contributions held by a candidate may not be contributed to
23 another candidate or to a group.

24 Sec. 15.13.114. DISPOSITION OF PROHIBITED CONTRIBUTIONS. (a) A
25 candidate or group that receives and accepts a contribution given in violation of
26 AS 15.13.072 or 15.13.074 shall immediately, upon discovery that the contribution is
27 prohibited, return it to the contributor. If the contribution cannot be returned in the same
28 form, the equivalent value of the contribution shall be returned.

29 (b) An anonymous contribution is forfeited to the state unless the contributor is
30 identified within five days of its receipt. Money that forfeits to the state under this
31 subsection shall be delivered immediately to the Department of Revenue for deposit in
32 the general fund.

1 Sec. 15.13.116. DISBURSEMENT OF CAMPAIGN ASSETS AFTER
2 ELECTION. (a) A candidate who, after the date of the general, special, municipal, or
3 municipal runoff election or after the date the candidate withdraws as a candidate,
4 whichever comes first, holds unused campaign contributions shall distribute the amount
5 held within 60 days. The distribution may only be made to

6 (1) pay bills incurred for expenditures reasonably related to the campaign
7 and the winding up of the affairs of the campaign, and to pay expenditures associated
8 with post-election fund raising that may be needed to raise funds to pay off campaign
9 debts;

10 (2) pay for a victory or a thank you party costing less than \$500, or to
11 give a thank you gift of a value of less than \$50 to a campaign employee or volunteer;

12 (3) make donations, without condition, to

13 (A) a political party;

14 (B) the state's general fund;

15 (C) a municipality of the state; or

16 (D) the federal government;

17 (4) make donations, without condition, to organizations qualified as
18 charitable organizations under 26 U.S.C. 501(c)(3), provided the organization is not
19 controlled by the candidate or a member of the candidate's immediate family;

20 (5) repay loans from the candidate to the candidate's own campaign
21 under AS 15.13.078(b);

22 (6) repay contributions to contributors, but only if repayment of the
23 contribution is made pro rata in approximate proportion to the contributions made using
24 one of the following, as the candidate determines:

25 (A) to all contributions;

26 (B) to contributors who have contributed most recently; or

27 (C) to contributors who have made larger contributions;

28 (7) establish a fund for, and from that fund to pay, attorney fees or costs
29 incurred in the prosecution or defense of an administrative or civil judicial action that
30 directly concerns a challenge to the victory or defeat of the candidate in the election;

31 (8) transfer all or a portion of the unused campaign contributions to an
32 account for a future election campaign; a transfer under this paragraph is limited to

1 (A) \$50,000, if the transfer is made by a candidate for governor
2 or lieutenant governor;

3 (B) \$7,500, if the transfer is made by a candidate for the state
4 senate;

5 (C) \$5,000, if the transfer is made by a candidate for the state
6 house of representatives; and

7 (D) \$5,000, if the transfer is made by a candidate for an office
8 not described in (A) - (C) of this paragraph;

9 (9) transfer all or a portion of the unused campaign contributions to a
10 legislative office account; a transfer under this paragraph is subject to the following:

11 (A) the authority to transfer is limited to candidates who are
12 elected to the state legislature;

13 (B) the legislative office account established under this paragraph
14 may be used only for expenses associated with the candidate's serving as a
15 member of the legislature;

16 (C) all amounts expended from the legislative office account shall
17 be annually accounted for under AS 15.13.110(a)(4); and

18 (D) a transfer under this paragraph is limited to
19 (i) \$10,000, for a candidate elected to the state senate; and
20 (ii) \$5,000, for a candidate elected to the state house of
21 representatives.

22 (b) After a general, special, municipal, or municipal runoff election, a candidate
23 may retain the ownership of personal property, except money, that was acquired by and
24 for use in the campaign. The current fair market value of the property retained may not
25 exceed \$2,500. All other property shall be disposed of, or sold and the sale proceeds
26 disposed of, in accordance with (a) or (c) of this section.

27 (c) Property remaining after disbursements are made under (a) - (b) of this
28 section is forfeited to the state. Within 30 days, the candidate shall deliver the property
29 to the Department of Revenue. The Department of Revenue shall deposit any money
30 received into the general fund and dispose of any other property in accordance with law.

31 * **Sec. 19.** AS 15.13.120(d) is repealed and reenacted to read:

32 (d) A member of the commission, the commission's executive director, or a

1 person or group who believes a violation of this chapter or a regulation adopted under
2 this chapter has occurred or is occurring may file an administrative complaint with the
3 commission within four years of the date of the alleged violation. If a member of the
4 commission has filed the complaint, that member may not participate as a commissioner
5 in any proceeding of the commission with respect to the complaint. If the commission
6 accepts the complaint and opens a preliminary investigation, it shall do so within 90 days
7 of the filing date of the complaint and shall investigate the complaint. After affording
8 the respondent notice and an opportunity to be heard, if the commission finds that the
9 respondent has engaged in or is about to engage in an act or practice that constitutes or
10 will constitute a violation of this chapter or a regulation adopted under it, the commission
11 shall enter an order requiring the violation to be ceased or to be remedied, and shall
12 assess civil penalties under AS 15.13.125. A commission order may be appealed to the
13 superior court by either the complainant or respondent within 30 days. The commission
14 or the commission's executive director shall promptly report to the attorney general
15 concerning any acts or practices that may constitute violations of this chapter or
16 regulations adopted under this chapter, or concerning the violation of any order of the
17 commission.

18 * **Sec. 20.** AS 15.13.120(e) is repealed and reenacted to read:

19 (e) If the commission does not open a preliminary investigation within 90 days
20 of the filing date of the complaint or complete action on the complaint within 120 days
21 of the filing, the complaint is rejected. A complainant whose complaint is rejected may
22 file a complaint in superior court alleging a violation of this chapter by a person charged
23 in the administrative complaint. The superior court summons and complaint shall be
24 served on the commission and the attorney general. The state shall have the right to
25 intervene in a timely manner. A complaint may not be filed in superior court under this
26 subsection if more than two years have elapsed from the date of the alleged violation.
27 This subsection does not create a private cause of action against the commission.

28 * **Sec. 21.** AS 15.13.125 is amended to read:

29 Sec. 15.13.125. CIVIL PENALTY: LATE FILING OF REQUIRED REPORTS.
30 A person who fails to file a properly completed and certified report within the time
31 required by AS 15.13.040(d) - (f), 15.13.050, 15.13.060(b) - (d), 15.13.080(c)
32 [AS 15.13.040(f)], 15.13.110(a)(1), (3), or (4), (e), or (f) [OR 15.13.110(f)] is subject

1 to a civil penalty of not more than \$50 [\$10] a day for each day the delinquency
2 continues as determined by the commission subject to right of appeal to the superior
3 court. A person who fails to file a properly completed and certified report within the
4 time required by AS 15.13.110(a)(2) or 15.13.110(b) is subject to a civil penalty of not
5 more than \$500 [\$50] a day for each day the delinquency continues as determined by the
6 commission subject to right of appeal to the superior court. A person who violates a
7 provision of this chapter, except a provision requiring filing of a report within a
8 time required as otherwise specified in this subsection, is subject to a civil penalty
9 of not more than \$50 a day for each day the violation continues as determined by
10 the commission, subject to right of appeal to the superior court. An affidavit stating
11 facts in mitigation may be submitted to the commission by a person against whom a civil
12 penalty is assessed. However, the imposition of the penalties prescribed in this section
13 or in AS 15.13.120 does not excuse that person from filing reports required by this
14 chapter.

15 * **Sec. 22.** AS 15.13.125 is amended by adding new subsections to read:

16 (b) When an administrative complaint has been filed under AS 15.13.120(d), the
17 commission shall give the person against whom the complaint has been filed due notice
18 and an opportunity to be heard. If, at the conclusions of the hearing, the commission
19 determines that the person against whom the complaint was filed engaged in the alleged
20 violation, the commission shall assess

21 (1) civil penalties under (a) of this section;

22 (2) the commission's costs of investigation and adjudication; and

23 (3) reasonable attorney fees.

24 (c) The commission's determination under (b) of this section may be appealed
25 to the superior court under AS 44.62 (Administrative Procedure Act).

26 (d) When an action has been filed in the superior court under AS 15.13.120(e),
27 upon proof of the violation, the court

28 (1) shall enter a judgment in the amount of three times the amount of the
29 civil penalty authorized to be collected by (a) of this section; however, if the court finds
30 that, in committing the violation, the person against whom the action was brought did
31 not act knowingly and took action to correct the violation within five days after it
32 occurred, the court may enter a judgment in the amount of the civil penalty authorized

1 by (a) of this section; and

2 (2) shall award reasonable attorney fees and costs to the prevailing party.

3 (e) A person who filed a civil action under AS 15.13.120(e), upon proof of the
4 violation by the person against whom the action was filed, may execute on the judgment
5 and is entitled to half of any amount recovered as a civil penalty exclusive of any
6 attorney fees and costs awarded by the court. The remainder of any amount recovered
7 as a civil penalty shall be deposited in the state's general fund.

8 (f) If the commission or superior court finds that the violation was not a repeat
9 violation or was not part of a series or pattern of violations, was inadvertent, was quickly
10 corrected, and had no adverse effect on the campaign of another, the commission or the
11 court may

12 (1) suspend imposition of the penalties; and

13 (2) order the penalties set aside if the person does not engage in a similar
14 violation for a period of one year.

15 (g) A party who has filed a civil action under AS 15.13.120(e)

16 (1) is not entitled to trial by jury on the civil action;

17 (2) is not entitled to be represented by legal counsel at public expense.

18 * **Sec. 23.** AS 15.13 is amended by adding new sections to read:

19 Sec. 15.13.135. INDEPENDENT EXPENDITURES FOR OR AGAINST
20 CANDIDATES. (a) Only an individual or group may make an independent
21 expenditure supporting or opposing a candidate for election to public office. An
22 independent expenditure supporting or opposing a candidate for election to public
23 office shall be reported in accordance with AS 15.13.040 and 15.13.100 - 15.13.110
24 and other requirements of this chapter.

25 (b) An individual or group who makes independent expenditures for a mass
26 mailing, for distribution of campaign literature of any sort, for a television, radio,
27 newspaper or magazine advertisement, or any other communication that supports or
28 opposes a candidate for election to public office

29 (1) shall comply with AS 15.13.090; and

30 (2) shall place the following statement in the mailing, literature,
31 advertisement, or other communication so that it is readily and easily discernible:

32 This NOTICE TO VOTERS is required by Alaska law. (I/we)

1 certify that this (mailing/literature/advertisement) is not authorized, paid
2 for, or approved by the candidate.

3 Sec. 15.13.137. RESTRICTIONS ON CONTRIBUTIONS TO INDIVIDUALS
4 MAKING INDEPENDENT EXPENDITURES FOR OR AGAINST CANDIDATES.

5 An individual who makes an independent expenditure supporting or opposing a
6 candidate may not accept a contribution to help pay for the expenditure from another
7 individual or group that exceeds the amount an individual may contribute to a group
8 under AS 15.13.070(b)(2).

9 Sec. 15.13.140. INDEPENDENT EXPENDITURES FOR OR AGAINST
10 BALLOT PROPOSITION OR QUESTION. (a) This chapter does not prohibit a
11 person, or a publicly funded entity, from making independent expenditures in support
12 of or in opposition to a ballot proposition or question.

13 (b) An independent expenditure for or against a ballot proposition or question

14 (1) shall be reported in accordance with AS 15.13.040 and 15.13.100 -
15 15.13.110 and other requirements of this chapter; and

16 (2) may not be made if the expenditure is prohibited by AS 15.13.145.

17 Sec. 15.13.145. MONEY OF THE STATE AND ITS POLITICAL
18 SUBDIVISIONS. (a) Except as provided in (b) and (c) of this section, each of the
19 following may not use money held by the entity to influence the outcome of the
20 election of a candidate to a state or municipal office:

21 (1) the state, its agencies, and its corporations;

22 (2) the University of Alaska and its Board of Regents;

23 (3) municipalities, school districts, and regional educational attendance
24 areas, or another political subdivision of the state; and

25 (4) an officer or employee of an entity identified in (1) - (3) of this
26 subsection.

27 (b) Money held by an entity identified in (a)(1) - (3) of this section may be
28 used to influence the outcome of an election concerning a ballot proposition or
29 question, but only if the funds have been specifically appropriated for that purpose by
30 a state law or a municipal ordinance.

31 (c) Money held by an entity identified in (a)(1) - (3) of this section may be

1 used

2 (1) to disseminate information about the time and place of an election
3 and to hold an election;

4 (2) to provide the public with nonpartisan information about a ballot
5 proposition or question or about all the candidates seeking election to a particular
6 public office.

7 (d) When expenditure of money is authorized by (b) or (c) of this section and
8 is used to influence the outcome of an election, the expenditures shall be reported to
9 the commission in the same manner as an individual is required to report under
10 AS 15.13.040.

11 Sec. 15.13.150. ELECTION EDUCATIONAL ACTIVITIES NOT
12 PROHIBITED. This chapter does not prohibit a person from engaging in educational
13 election-related communications and activities, including

14 (1) the publication of the date and location of an election;

15 (2) the education of students about voting and elections;

16 (3) the sponsorship of open candidate debate forums;

17 (4) participation in get-out-the-vote or voter registration drives that do
18 not favor a particular candidate, political party, or political position;

19 (5) the dissemination of the views of all candidates running for a
20 particular office.

21 Sec. 15.13.155. RESTRICTIONS ON EARNED INCOME AND
22 HONORARIA. (a) A candidate for the state legislature, for governor, or for
23 lieutenant governor, including a person campaigning as a write-in candidate for the
24 office, may not

25 (1) seek or accept compensation for personal services that involves
26 payments that are not commensurate with the services rendered taking into account the
27 higher rates generally charged by specialists in a profession; or

28 (2) accept a payment of anything of value, except for actual and
29 necessarily incurred travel expenses, for an appearance or speech; this paragraph does
30 not apply to the salary paid to the candidate for making an appearance or speech as
31 part of the candidate's normal course of employment.

1 (b) Notwithstanding (a) of this section, a candidate for the state legislature, for
2 governor, or for lieutenant governor, including a person campaigning as a write-in
3 candidate for the office, may accept a payment for an appearance or speech if the
4 appearance or speech is not connected with the person's status as a state official or as
5 a candidate.

6 Sec. 15.13.400. DEFINITIONS. In this chapter,

7 (1) "candidate"

8 (A) means a person who files for election to the state
9 legislature, for governor, for lieutenant governor, for municipal office, for
10 retention in judicial office, or for constitutional convention delegate, or who
11 campaigns as a write-in candidate for any of these offices; and

12 (B) when used in a provision of this chapter that limits or
13 prohibits the donation, solicitation, or acceptance of campaign contributions, or
14 limits or prohibits an expenditure, includes

15 (i) a candidate's campaign treasurer and a deputy
16 campaign treasurer;

17 (ii) a member of the candidate's immediate family;

18 (iii) a person acting as agent for the candidate;

19 (iv) the candidate's campaign committee; and

20 (v) a group that makes expenditures or receives
21 contributions with the authorization or consent, express or implied, or
22 under the control, direct or indirect, of the candidate;

23 (2) "commission" means the Alaska Public Offices Commission;

24 (3) "contribution"

25 (A) means a purchase, payment, promise or obligation to pay,
26 loan or loan guarantee, deposit or gift of money, goods, or services for which
27 charge is ordinarily made and that is made for the purpose of influencing the
28 nomination or election of a candidate, and in AS 15.13.010(b) for the purpose
29 of influencing a ballot proposition or question, including the payment by a
30 person other than a candidate or political party, or compensation for the
31 personal services of another person, that are rendered to the candidate or

1 political party;

2 (B) does not include

3 (i) services provided without compensation by
4 individuals volunteering a portion or all of their time on behalf of a
5 candidate or ballot proposition or question, but it does include
6 professional services volunteered by individuals for which they
7 ordinarily would be paid a fee or wage;

8 (ii) services provided by an accountant or other person
9 to prepare reports and statements required by this chapter; or

10 (iii) ordinary hospitality in a home;

11 (4) "expenditure"

12 (A) means a purchase or a transfer of money or anything of
13 value, or promise or agreement to purchase or transfer money or anything of
14 value, incurred or made for the purpose of

15 (i) influencing the nomination or election of a candidate
16 or of any individual who files for nomination at a later date and
17 becomes a candidate;

18 (ii) use by a political party;

19 (iii) the payment by a person other than a candidate or
20 political party of compensation for the personal services of another
21 person that are rendered to a candidate or political party; or

22 (iv) influencing the outcome of a ballot proposition or
23 question;

24 (B) does not include a candidate's filing fee or the cost of
25 preparing reports and statements required by this chapter;

26 (5) "group" means

27 (A) every state and regional executive committee of a political
28 party; and

29 (B) any combination of two or more individuals acting jointly
30 who organize for the principal purpose to influence the outcome of one or more
31 elections and who take action the major purpose of which is to influence the

1 outcome of an election; a group that makes expenditures or receives
2 contributions with the authorization or consent, express or implied, or under the
3 control, direct or indirect, of a candidate shall be considered to be controlled
4 by that candidate; a group whose major purpose is to further the nomination,
5 election, or candidacy of only one person, or intends to expend more than 50
6 percent of its money on a single candidate, shall be considered to be controlled
7 by that candidate and its actions done with the candidate's knowledge and
8 consent unless, within 10 days from the date the candidate learns of the
9 existence of the group the candidate files with the commission, on a form
10 provided by the commission, an affidavit that the group is operating without
11 the candidate's control; a group organized for more than one year preceding an
12 election and endorsing candidates for more than one office or more than one
13 political party is presumed not to be controlled by a candidate; however, a
14 group that contributes more than 50 percent of its money to or on behalf of one
15 candidate shall be considered to support only one candidate for purposes of
16 AS 15.13.070, whether or not control of the group has been disclaimed by the
17 candidate;

18 (6) "immediate family" means the spouse, parents, children, including
19 a stepchild and an adoptive child, and siblings of an individual;

20 (7) "independent expenditure" means an expenditure that is made
21 without the direct or indirect consultation or cooperation with, or at the suggestion or
22 the request of, or with the prior consent of, a candidate, a candidate's campaign
23 treasurer or deputy campaign treasurer, or another person acting as a principal or agent
24 of the candidate;

25 (8) "individual" means a natural person;

26 (9) "person" has the meaning given in AS 01.10.060, and includes a
27 labor union and a group;

28 (10) "political party" means

29 (A) an organized group of voters that represents a political
30 program and that nominated a candidate for governor who received at least
31 three percent of the total votes cast at any one of the last five preceding general

1 elections for governor; and

2 (B) a subordinate unit of the organized group of voters
3 qualifying as a political party under (A) of this paragraph if, consistent with the
4 rules or bylaws of the political party, the unit conducts or supports campaign
5 operations in a municipality, neighborhood, election district, or precinct;

6 (11) "publicly funded entity" means a person, other than an individual,
7 that receives half or more of the money on which it operates during a calendar year
8 from government, including a public corporation.

9 * **Sec. 24.** AS 15.56 is amended by adding new sections to read:

10 Sec. 15.56.012. CAMPAIGN MISCONDUCT IN THE FIRST DEGREE. (a)
11 Except as provided in AS 15.56.014 and 15.56.016, a person commits the crime of
12 campaign misconduct in the first degree if the person knowingly engages in conduct
13 that violates a provision of AS 15.13 or a regulation adopted under authority of
14 AS 15.13.

15 (b) Violation of this section is a corrupt practice.

16 (c) Campaign misconduct in the first degree is a class A misdemeanor.

17 Sec. 15.56.014. CAMPAIGN MISCONDUCT IN THE SECOND DEGREE.

18 (a) A person commits the crime of campaign misconduct in the second degree if the
19 person

20 (1) knowingly circulates or has written, printed or circulated a letter,
21 circular, or publication relating to an election, to a candidate at an election, or an
22 election proposition or question without the name and address of the author appearing
23 on its face;

24 (2) except as provided by AS 15.13.090(b), knowingly prints or
25 publishes an advertisement, billboard, placard, poster, handbill, paid-for television or
26 radio announcement or other communication intended to influence the election of a
27 candidate or outcome of a ballot proposition or question without the words "paid for
28 by" followed by the name and address of the candidate, group or individual paying for
29 the advertising or communication and, if a candidate or group, with the name of the
30 campaign chair;

31 (3) knowingly writes or prints and circulates, or has written, printed and

1 circulated, a letter, circular, bill, placard, poster or advertisement in a newspaper, on
2 radio or television

3 (A) containing false factual information relating to a candidate
4 for an election;

5 (B) that the person knows to be false; and

6 (C) that would provoke a reasonable person under the
7 circumstances to a breach of the peace or that a reasonable person would
8 construe as damaging to the candidate's reputation for honesty, integrity, or the
9 candidate's qualifications to serve if elected to office.

10 (b) Violation of this section is a corrupt practice.

11 (c) Campaign misconduct in the second degree is a class B misdemeanor.

12 Sec. 15.56.016. CAMPAIGN MISCONDUCT IN THE THIRD DEGREE. (a)

13 A person commits the crime of campaign misconduct in the third degree if

14 (1) the person violates a provision of AS 15.13 or a regulation adopted
15 under AS 15.13; or

16 (2) during the hours the polls are open and after election judges have
17 posted warning notices as required by AS 15.15.170 or at the required distance in the
18 form and manner prescribed by the chief municipal elections official in a local
19 election, the person is within 200 feet of an entrance to a polling place, and

20 (A) violates AS 15.15.170; or

21 (B) circulates cards, handbills, or marked ballots, or posts
22 political signs or posters relating to a candidate at an election or election
23 proposition or question.

24 (b) Campaign misconduct in the third degree is a violation.

25 Sec. 15.56.018. APPLICABILITY OF CAMPAIGN MISCONDUCT
26 PROVISIONS. (a) For purposes of AS 15.56.012(a) and 15.56.016(a)(1), each day
27 a violation continues constitutes a separate offense.

28 (b) When a person is convicted of violating AS 15.56.012, in addition to
29 imposition of a sentence as authorized by AS 12.55.015, notwithstanding
30 AS 12.55.015(c), the court shall order suspension, for a period of one year, of any
31 license held by the defendant that allows the defendant to do business in the state.

1 Sec. 15.56.019. DEFINITION. In AS 15.56.012 - 15.56.018, the term
2 "knowingly" has the meaning given in AS 11.81.900(a).

3 * **Sec. 25.** AS 24.45.121(a) is amended to read:

4 (a) A lobbyist may not

5 (1) engage in any activity as a lobbyist before registering under
6 AS 24.45.041;

7 (2) do anything with the intent of placing a public official under
8 personal obligation to the lobbyist or to the lobbyist's employer;

9 (3) intentionally deceive or attempt to deceive any public official with
10 regard to any material fact pertinent to pending or proposed legislative or
11 administrative action;

12 (4) cause or influence the introduction of a legislative measure solely
13 for the purpose of thereafter being employed to secure its passage or its defeat;

14 (5) cause a communication to be sent to a public official in the name
15 of any fictitious person or in the name of any real person, except with the consent of
16 that person;

17 (6) accept or agree to accept any payment in any way contingent upon
18 the defeat, enactment, or outcome of any proposed legislative or administrative action;

19 (7) serve as a member of a state board, or commission, if the lobbyist's
20 employer may receive direct economic benefit from a decision of that board or
21 commission;

22 (8) serve as a campaign manager or director, serve as a campaign
23 treasurer or deputy campaign treasurer on a finance or fund-raising committee, host a
24 fund-raising event, **directly or indirectly collect contributions for, or deliver**
25 **contributions to, a candidate** or otherwise [ACTIVELY] engage in the fund-raising
26 activity of a legislative campaign **or campaign for governor or lieutenant governor**
27 if the lobbyist has registered, **or is required to register as a lobbyist, under this**
28 **chapter**, during the calendar year; this paragraph does not apply to a representational
29 lobbyist as defined in the regulations of the Alaska Public Offices Commission, and
30 does not prohibit a lobbyist from making personal contributions to **a candidate as**
31 **authorized by AS 15.13** or personally advocating on behalf of a candidate;

1 (9) offer, solicit, initiate, facilitate, or provide to or on behalf of a
2 person covered by AS 24.60, during a legislative session, a gift, other than food or
3 beverage for immediate consumption;

4 (10) make or offer a gift or a campaign contribution whose acceptance
5 by the person to whom it is offered would violate AS 24.60.

6 * **Sec. 26.** AS 24.60.031(b) is amended to read:

7 (b) In this section, "contribution" has the meaning given in AS 15.13.400
8 [AS 15.13.130].

9 * **Sec. 27.** AS 15.13.120(a), 15.13.130; AS 15.56.010, and 15.56.020 are repealed.

10 * **Sec. 28.** CONSTRUCTION AND APPLICATION. Each provision of this Act shall be
11 construed to avoid a conflict with any federal law that, under the supremacy clause of art. VI
12 of the United States Constitution, prevails over the state provision.

13 * **Sec. 29.** APPLICABILITY OF AS 15.13 TO PERSONS OTHER THAN INDIVIDUALS.

14 If a court determines that, under the federal or state constitutions, persons who are not
15 individuals must be allowed to contribute to candidates or groups, then the requirements,
16 monetary limitations, and restrictions of AS 15.13 are applicable to those persons.

17 * **Sec. 30.** SEVERABILITY. Under AS 01.10.030, if any provision of this Act, or the
18 application thereof to any person or circumstance, is held invalid, the remainder of this Act
19 and the application to other persons or circumstances is not affected thereby.

20 * **Sec. 31.** TAKING EFFECT OF ACT MADE CONDITIONAL. Sections 1 - 30 of this
21 Act take effect only if, under art. XI, sec. 4, Constitution of the State of Alaska, and
22 AS 15.45.210, the lieutenant governor determines that secs. 1 - 30 of this Act are substantially
23 the same as the law proposed to be enacted by the Initiative entitled "An Initiative relating to
24 election campaign financing and the Alaska Public Offices Commission; and providing for an
25 effective date," identified by the division of elections as Initiative Petition 95 CFPO, filed with
26 the lieutenant governor by the Initiative sponsors under AS 15.45.140 on December 15, 1995.

27 * **Sec. 32.** If secs. 1 - 30 of this Act take effect, AS 15.13.112(b)(2) and (3), added by sec.
28 18 of this Act, take effect July 1, 1996.

29 * **Sec. 33.** If secs. 1 - 30 of this Act take effect, except as provided by sec. 32 of this Act,
30 they take effect January 1, 1997.